

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Thomas
A. RUSSELL, et al.

SERIAL NO.:

10/679,158

Group Art Unit: 3739

FILED:

October 3, 2003

EXAMINER:

FOR: SURGICAL POSITIONERS

ATTORNEY DOCKET NO.: 50642/287729
DATE: 8/20/04

Mail Stop Amendment
Commissioner for Patents
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Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are cited for consideration by the Examiner. Copies of the non-U.S. patent documents are submitted with this paper.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

Receipt date: 08/06/2004

10679158 - GAU: 3737

U.S. Serial No. 10/679,158

Filed: October 3, 2003

INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before issuance of a first Office action on the merits. Applicant believes that no fee is due for submission and consideration of this paper. The Commissioner is authorized to charge any fees associated with this filing or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,



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1752509

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Total Number of Pages in This Submission		Attorney Docket Number	50642/287729
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael A. Bertelson, Reg. No. 54,713
Signature	
Date	July 29, 2004

CERTIFICATE OF MAILING

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Application Number	10/379,158
Date Filed:	October 3, 2003
First Named Inventor	Thomas A. RUSSELL
Group Art Unit	3739
Examiner Name	

Attorney Docket Number

50642/287729

Examiner Initials	Cite No. ¹	Document Number	Publication Date MM-D/D-YYYY/	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
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/B.R./		DE 197 09 960 A1	09/24/1998	Germany		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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